

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application Serial No. .... 10/828,401  
Filing Date ..... April 20, 2004  
Confirmation No. .... 4534  
Inventorship ..... Charles Reeves Little, II  
Applicant..... Microsoft Corporation  
Group Art Unit..... 2446  
Examiner ..... JOSEPH E AVELLINO  
Attorney's Docket No. ..... MS1-2006US  
Title: ..... Presence-based Seamless Messaging

**RESPONSE TO JANUARY 5, 2009 OFFICE ACTION**

To: **Mail Stop Amendment**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

From: Dominic S. Lindauer (Tel. 509-324-9256 x233; Fax 509-323-8979)  
**Customer No. 22801**  
Lee & Hayes PLLC  
421 W. Riverside Ave., Suite 500  
Spokane, WA 99201

**INTRODUCTORY COMMENTS**

This communication is responsive to the Office Action dated January 5, 2009, and is being filed within the three-month shortened statutory period for response.

**Amendments to the Claims** begin on page 2 of this document.

**Remarks** begin on page 17 of this document.